

Conservation Commission
781-982-2100

Minutes
May 13, 2014
Buckley Room
7:00 p.m.

Members Present: Joe Feeney, Jerry Kelliher, Russ Forsythe, Mike Noonan, Bill Stone, Kathy Creighton
Absent: Denis Bergin,

7:00 p.m. Continued hearing, #84-472, Abbreviated NOI filed by the Town of Abington, for the restoration/preservation of concrete Memorial Arch and attached bronze statuary at 200 Park Avenue, Island Grove Pond/Park. No excavation or new construction is involved.

Motion to open hearing made by Kathy, seconded by Mike, unanimous. Doug Ulwick attended with Justine Orlando of Chapman Waterproofing. Had been in prior to bidding the project to get Order of Conditions. Hearing had been left open till contract issued. Had pre-meeting last week with Town Manager and Asst. Town Manager. They would like to test panels to try different processes and see what works best and then come back to the board. They requested the board to designate one person to see testing done.

Justine - they have done similar projects (Plymouth Rock project very similar, next to water). They were able to apply Prosoco Light Duty Restoration Cleaner and power wash the monument. They were able to test the rinse water for the pH levels. The pH levels were within acceptable limits. They have done a number of bridge projects with contractors where they have been over bodies of water. All of these projects they were using products that could not go into the water. The areas had to be enclosed while they were applying the products. Rinse water was contained and brought off site for proper disposal.

When they go out to do investigation, they would like to do 4 or 6 test panels with 5 different applications. Panel would be about 3' x 3'. Would include mechanically scraping with small hand tools, there are two different paint strippers they would like to try, applied with paper backing so there is no pressure wash involved with that. They try this several times to get as much off as they can. There is an area they would like to try high pressure wash with just water, also high pressure wash with restoration cleaner. Prosoco has a line of environmentally friendly products with the dissolution being about 200:1 once the pressure wash has been completed. They would also test the rinse water. They would like to be on site within 30 days due to temperature restrictions on most of these products and perform the mock-up and come

back to the board with formal narrative and request. Justine requested that someone from the board be onsite when they do the test panels that way they don't miss anything when they submit the narrative. Board asked what equipment would be brought in. They will bring in a pressure washer. They will be doing the test panels on the lower levels, which are in the worst conditions. Board wondered if materials had been tested for lead paint or mercury or other metals. Justine – hadn't seen any. Are they concerned with contaminants? Doug – most of the paint on there is spray paint and didn't believe there would be lead in that. Kathy – are they going to have some sort of collection system? Justine – they can put some sort of bladder underneath the area to be tested which would catch the water as it comes down. They can test that for the pH as well.

Kathy – board is concerned with environment and fish, etc. Suggested that someone needs to determine where the wetland line is, where high water mark is. Silt fence and hay bales need to be included. Doesn't have a problem with test panels, but wants something in writing for documentation. Mike - can be sock if they prefer that to silt fence. Kathy - wants it clear as to where the wetlands are. Doug – there is a bulkhead at the foot of the bridge, and it doesn't go over that wall. Kathy – they need to tell the board where they think it is. Joe - a piece of bulkhead is broken. Re test panels, board wants protection the same as if they were getting an order of conditions on this part. Kathy wants it written. Justine submitted copies of materials to be used for board. Copies will be made for everyone. They will let the board know what would be done to protect site while they do the panels – a written narrative. If the board receives this before the next meeting, they don't have to be at the meeting. They can't do anything before the 27th. Board would like a narrative, definition of resource area. They should park trucks away from everything. Kathy – they should figure where lay down area will be, will they be removing chemicals every night, or will it be locked down. Justine – that is one of the company's policies to lock down or remove from site. She anticipated having a small storage box on site so it can be locked overnight. They will also have the work area enclosed with construction fencing as well. Arch will be closed for about 2 months. Can still fish, and swim, but not via arch. Russ Forsythe will be the on-site representative. They will be meeting out there at 9 tomorrow morning.

Motion to continue to May 27th at 7:00 p.m. made by Kathy, seconded by Mike, unanimous.

Continued hearing, NOI, SE084-481, David Federico, for the construction of a single family home with appurtenances within the 100' buffer of a bordering vegetated wetland on Robbins Avenue.

Motion to open the hearing made by Mike, seconded by Kathy, unanimous. John Cotter attended with Russell Wheatley and David Federico. They are still in the process of taking care of comments from Commission from prior meeting. They revisited site and location of detention basin in the Robbins Avenue right of way. The location of the detention basin that

was submitted on original plan would not allow the neighbors on the left to access their property from Robbins Avenue. They are in process of moving detention basin onto Federico's property and then will be piped into drainage easement on Robbins Ave. They are revisiting drainage calcs for 2, 10 and 100 year storm. They are asking for continuation to 5/27.

Motion to continue to May 27, 2014 at 7:00 p.m. made by Kathy, seconded by Russ, unanimous.

Continued hearing, NOI 84-482, Ingrid Johnson, for the construction of a single family home with site appurtenances within a bordering vegetated wetlands at 78 Crabtree Lane. Motion to open the hearing made by Jerry, seconded by Bill, unanimous. John Cotter submitted revised plans dated May 8, 2014 and wetland replication plan. Property belongs to John Norton who is selling it to Ingrid Johnson. They are creating area for single family house, doing some filling of wetlands on westerly side of house and replicating at the easterly property line towards the rear. They have spoken with neighbors who had concerns about flooding on to their lots. They revisited site and spoke with Mr. Pantazelos. To insure he would be protected, they created small berm on his side of swale, and continued swale into replication area, which helps prevent overland flow off driveway, and by extending swale it feeds replication area they are creating. They were issued DEP #84-482 and were given comments from DEP to review re water quality. Everything they are doing complies with Wetlands Protection Act. They are filling in 1100 s.f. of BVW and replicating 2265 s.f. They are replicating at 2:1. There is no outstanding resource area. They checked on Endangered Species Habitat, and they are not within the area. Kathy asked for outline of replication plan. John - they are going down 1-1.5 ft., and will excavate around trees. Will be using a cluster of different vegetation and provided a sketch of plantings. Brooke Monroe will be out there during plantings and will make sure there is 75% of cover during 2 year period for replication. Opened to floor, with no comments and brought back to table.

Motion to accept the revised plans dated May 8, 2014 made by Mike, seconded by Bill, unanimous.

Meeting re Enforcement Orders on 1212 Bedford Street. Vinnie D'Andrea - talked with Matt McPhail who hadn't been asked to come before board yet. Kathy - enforcement order should have referred to both properties. Kathy made motion to issue enforcement order for 1200 Bedford Street to stop filling, seconded by Bill. Jerry - Mr. McPhail still needed the information from the state. Board needs that information in front of it. Kathy - does the board want a NOI? Mike - Mr. McPhail needs to come before board with letter from state, then board can decide whether he can use the pond or drain the pond. As soon as Mr. McPhail has the information from the state on drainage, he should come before the board. Kathy - there is still

the flooding problem with the Reeds now. Board should send letter to have Mr. McPhail come to next meeting.

Mr. D'Andrea – submitted copies of information – engineering reports, etc., that had previously been submitted to board but was missing from the files. 1. Wetlands Reconnaissance Report dated March 1990, 17 pages; 2. Isolated Subject to Flooding Determination and Narrative by Environmental Research Corp, 9 pages, letter from Norman Clapp & Assoc., and WPA Form 2 Determination of Applicability August 1999, 4 pages; 3. Office of Conservation Commission dated January 4, 2007 regarding order to cease and desist; 4. Office of Conservation Commission dated February 7, 2007 regarding discussion of January 23, 2007 – cease and desist rescinded; 5. Receipt dated 4/22/14 for disposal of tree stumps; 6. Email dated March 31, 2014 re sample summary table from GZA GEO Environmental, Inc., 4 pages.

Motion by Kathy to issue enforcement order for Matt McPhail, seconded by Bill, unanimous. Motion by Kathy to have Mr. McPhail come to next meeting to see what he's waiting for from DOT, seconded by Mike, unanimous.

Opened to floor: Brian Reed – pond is dry now because there hasn't been rain. Submitted pictures of 1200 Bedford Street, Oliver maps with WS1 designation, including drainage. Pictures are from 2005 - 2012, to 2014, show basin is half the size it used to be. There should have been order of conditions to fill in drainage basin and order of conditions to fill jersey barrier wall and 5'. They don't see an order of conditions for 81A & B. These are the lots behind the Reeds' house that Vinnie bought from Mr. McPhail, which is now part of 1212 Bedford Street. Mr. Reed - brought up plans from Conservation files that showed catch basin, WS1. Area is 5' above the grade level it was before. Photos Mr. Reed had showed WS1 designation is on Reed property, 1212 Bedford Street and 1200 Bedford Street, dated 2011, 2012 Wetlands Changes from the State of Massachusetts. Vinnie's documentation shows there is no 100' buffer zone, not an isolated wetland, done in 1999. Mr. Reed - 81A and 81B were bought after that by Vinnie, so they were not included in those reports. Joe – board needs to further investigate what we have here. Vinnie - engineers report says it's not large enough to meet criteria; it's not a wetlands area. He has been before the board many times. Kathy – it may not meet state criteria, but we have a local wetlands bylaw, which includes storm water drainage. Mike - he stopped flow from going into catch basin/pond.

Meeting to be continued to May 27, 2014.

Open Space update – nothing yet.

1066 Washington Street - to be on agenda on 5/27/2014.

Request to amend #84-477, Shane Crowley, 75-99 Ashland Street. John Cotter - plan hasn't changed, but allows him to clear the little area of brush, bushes and shrubs, using hand-held machinery, with grade to stay the same.

Motion by Mike to accept, seconded by Bill, unanimous.

NOI, #84-843, Patricia Beaulieu, for the construction of a single family home with site appurtenances within the 100' buffer zone of a bordering vegetated wetlands at Lot 1 Ashland Street. John Cotter attended with Russ Wheatley and Patricia Beaulieu. Mrs. Beaulieu wants to sell property, and is getting it permitted to sell it. They have been before ZBA and were approved. The lot was created in 1976, and is predominantly wetlands. It has been flagged by Brooke Monroe. There are approximately 20,000 s.f. of upland they will use for single family house lot. House will conform to setbacks. Municipal utilities will be brought on to site. The left side of property, #226, is a little bit higher than existing conditions were. They are raising house up due to FEMA flood elevation at 126. Basement elevation will be above that at 127. Top of foundation will be 135. This creates a natural swale along easterly property line. FEMA zone created swale and goes back the same way it does on the easterly side of the property. It is currently a vacant, wooded piece of land. Will have minimal impact on wetlands. They are creating a 10' buffer, and installing siltation fence along 10' buffer zone and along the 126 contour for mitigation. They are completely within the 100' buffer zone. Everything flows to the back. Kathy – the 100 year flood makes this land subject to flooding, and is an area subject to protection under the WPA. They can't take down trees on right hand side. Bringing in 650 yds. of fill.

Motion to close the hearing made by Mike, seconded by Bill, unanimous.

Order of Conditions:

#84-482 – 78 Crabtree Lane: A1-6 (10 feet from wetlands edge), B1,2,3,4,7, E1,2,3,4,5,6,7, 9,10, G1-4, 5(25'),6,7, H2,4,5,6,8,9, I-1,2(not h). Motion to approve plans dated 5/8/14 and Order of Conditions made by Kathy, seconded by Mike, unanimous.

#84-483 – Lot 1 Ashland Street: A1-6 (10' from wetlands edge), B1,2,4,7, G1-4, 5(25'), 6,7, H2,4,5, 6,7,8,9, I-1, 2(not g,h), Special Condition - no filling or alteration of anything in FEMA flood zone at elevation 126. Motion by Bill to approve plans as presented, seconded by Russ, unanimous.

Correspondence:

E-mail from Dori Jamieson to get on agenda on 5/27 re Rail Trail.

National Grid - current vegetation management plan

Open forum meeting being held at Senior Center on 5/22 re new school building.

Motion to approve April 8, 2014 minutes made by Russ, seconded by Jerry, 4 ayes, 2 abstentions (Mike, Kathy).

Minutes from 4/22 to go on next agenda.

Jerry reviewed building permits he had signed.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Nancy Hurst